



United States
Department of
Agriculture



Forest
Service

October, 2015

Decision Memo

Great Western Mining Company Marietta Target 4 Exploration Project

Plan of Operations # 02-14-03

Bridgeport Ranger District, Humboldt-Toiyabe National Forest
Mineral County, Nevada



Overview, looking west, of the Marietta T-4 Project Area, Marietta Ridge, Mineral County, NV. Note historic exploration trenches near center of photo. The core of the Excelsior Mountain complex appears in the background, with Huntoon Valley visible in the center-right of the photograph.

INTRODUCTION

This Decision Memo (DM) documents the United States Forest Service (USFS) decision on the Marietta Target 4 Exploration Project (Project) proposal submitted by Great Western Mining Company (GWM) on August 12, 2014. The Project, assigned Plan of Operations number #02-14-03 (Plan), proposes to conduct mineral exploration drilling on mining claims located on National Forest System lands. A revised Plan was submitted by GWM and received by the Forest Service on January 13, 2015.

LOCATION

The Marietta Target 4 Exploration Project is located at the southern margin of the Excelsior Mountains in Huntoon Valley, Mineral County, approximately 65 miles southwest of Hawthorne, Nevada. (Figures 1& 2). Exploration activities would occur in all or portions of Section 35 and 36, Township 4 North, Range 31 East, and Section 2, Township 3 North, Range 31 East, Mount Diablo Base & Meridian. The location reference maps are the Huntoon Valley and Little Huntoon Valley Geological Survey (USGS) 7.5-minute quadrangles.

There are no perennial streams, springs or ponds within the Project area. Jack Springs Creek is situated approximately 2.3 miles southeast from the nearest proposed disturbance, and Huntoon Creek is located approximately 4.3 miles southwest from the nearest proposed disturbance.

FOREST SERVICE MINERALS REGULATIONS AND POLICY

Title 36 Code of Federal Regulations Part 228 (36 CFR 228.1) states that use of the surface of National Forest System lands in connection with operations authorized by the United States mining laws (30 U.S.C. 21–54), which confer a statutory right to enter upon the public lands to search for minerals, shall be conducted so as to minimize adverse environmental impacts on National Forest System surface resources. While Federal law permits exploration and mining operations on National Forest lands; it also charges the agency with the prevention of unnecessary destruction of Forest lands and regulation of occupancy and use of the surface for purposes reasonably incident to prospecting, mining, or processing, primarily under the Organic Act of 1987 and the Multiple Use Mining Act of 1955.

Relevant policy in the Minerals and Geology Manual (FSM 2802) states that the Forest Service would:

- Encourage and facilitate the orderly exploration and development of mineral and energy resources on National Forest System lands to maintain a viable, healthy minerals industry, and
- Ensure that exploration, development, and production of mineral and energy resources are conducted in an environmentally sound manner.

PURPOSE AND NEED FOR THE PROPOSED ACTION

The agency's need is to respond to the proponent's submittal of a Plan of Operations (POO) and to ensure operations will be conducted so as to minimize adverse environmental impacts on National Forest surface resources (36 CFR 228.8, Subpart A) where feasible. The purpose of this proposed action is to authorize mineral exploration activities consistent with the statutory right of the proponent to explore for and develop mineral resources on federally-administered lands under the General Mining Law of 1872 and with other laws and regulations. The decision for the Forest Service to make is whether to approve the POO as submitted or to approve it with additional measures to protect surface resources. The proponent's need is to determine if economically viable mineral deposits exist within the proposed project area, and to define the nature, extent,

shape, and economic value of such deposits. The Forest Service must process proposed mining operations in a timely manner when they are submitted in accordance with regulations (36 CFR 228.4).

PROPOSED ACTION

The proposed action is for the Forest Service to authorize Great Western Mining Company to conduct mineral exploration. The mineral exploration will consist of collecting rock samples from boreholes for mineral resource evaluation. Access to drill sites will utilize existing roads, constructed road segments (approximately 5,094 feet of temporary road construction) and overland travel.

GWM will conduct exploration drilling with up to two track- or buggy-mounted reverse-circulation drill rigs. Boreholes will be drilled from 12 constructed drill sites, with a maximum of two holes drilled from the same drill site. Holes are expected to average 1,000 feet in depth. Most boreholes will be vertical but some may be inclined. Drill sites will be approximately 30' x 90' in area. Each drill pad will include one sump measuring 20'x15' and 10 feet in depth, including the spoil pile, to collect rock cuttings and manage drilling fluids.

Total surface disturbance for the project will be up to 5.2 acres, with 0.7 acres of drill pads and 4.5 acres of combined overland travel and constructed road segments. GWM will store equipment and material that will be utilized for exploration activities within the disturbance area of constructed drill sites.

In order to minimize duration of the project, up to two reverse-circulation drills may be on site at the same time and may be operated 24 hours per day, 7 days per week. The duration of drilling at each site will vary depending on hole depth and drilling conditions.

Drilling operations will be managed to capture and control cuttings, prevent the discharge of drilling cuttings and fluids into drainages or down-slope areas, and to keep work sites safe and clean. All boreholes will be plugged in accordance with Nevada Regulations NRS/NAC Chapter 534 and with additional environmental protection measures outlined in the Plan before the drill moves off the drill site.

Equipment

The project may utilize the following vehicles and large equipment:

- 2 track- or buggy-mounted RC drill rigs
- 2 pipe trucks
- 2 booster trucks
- 2 water trucks (2,000 to 3,000 gallon)
- 2 portable light plants with generators
- 2 auxiliary air compressors
- Cat D-6 (or similar) dozer
- 1 backhoe
- Various 4-wheel drive support and crew vehicles

Reclamation

Reclamation will be completed to the standards described in regulations 36 CFR 228.8(g). Sumps will be allowed to percolate and then will be backfilled with cuttings and excavated material and covered with any stockpiled soil. Overland travel will be ripped if they become overly compacted or rutted. All surface disturbance will be seeded with a Forest Service approved, weed-free seed mix at the appropriate time of year and at an application rate for optimum seed sprouting and plant growth. Seeding will be completed using a broadcast method and then raked.

Reclaimed surfaces will be left in a textured, or rough, condition to enhance revegetation.

Seeded areas will be monitored for stability and revegetation success for a minimum of three years until attainment of the revegetation standards established in the Nevada Guidelines for Successful Revegetation for the Nevada Division of Environmental Protection, the Bureau of Land Management, and the USDA Forest Service, Attachment B (Instruction Memorandum #NV-13).

Duration

Surface disturbance activities resulting from this project, including reclamation earthwork, would be one year or less. Deviation from the approved reclamation design features that would result in ground disturbance would require a new Plan of Operations or further review and approval.

The complete Plan is included in the Project Record and is incorporated by reference.

DECISION

I have decided to approve exploration activities for the Marietta T-4 Exploration Project on the Humboldt-Toiyabe National Forest, as described above under the "Proposed Action" and further detailed in the Plan.

The action to authorize exploration activities is categorically excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA) because the proposed action falls within category 8, short-term (one year or less) mineral, energy, or geophysical investigations and their incidental support activities that may require cross-country travel by vehicles and equipment, construction of less than one mile of low standard road (Service Level D, FSH 7709.56), or use and minor repair of existing roads (36 CFR 220.6(e)(8)). The total duration of exploration program implementation will not exceed one year from initiation of approved activities.

I find that there are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS. I took into account resource conditions identified in agency procedures that should be considered in determining whether extraordinary circumstances might exist pursuant to 36 CFR 220.6[b]:

- **Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.**

A Wildlife Biological Evaluation (BE) of the Project was completed by Enviroscientists, Inc., reviewed by Forest Service specialists, and approved September 4, 2015. Potential habitats for two Forest Service Region 4 (R4) Sensitive wildlife species, one Humboldt-Toiyabe Management Indicator species, and three Bridgeport Ranger District (RD) Species of Interest occur within the Project Area. Of these, the presence of three migratory bird species, which are classified as Bridgeport RD Species of Interest, were confirmed within the Project Area by field surveys. The Wildlife BE concluded that the Project may affect potential habitats in the short term but will not cause populations to trend downward. Project activities during the May 1 through July 15 nesting season are prohibited unless measures are adopted to avoid nests identified during a pre-construction nest survey (Enviroscientists 2015b).

In addition, the Project Area has the potential to provide habitat for 22 Forest Service R4 Sensitive plant species. No R4 Sensitive plant species were observed

within the Project Area during field surveys. Of the 22 R4 Sensitive plant species, the Botany BE concluded that Project activities may impact five R4 Sensitive plant species but are not likely to cause a trend toward federal listing or loss of viability. Although these species were not observed during the field survey, they may be present under optimal environmental conditions. The remaining 17 R4 Sensitive plants will not be impacted by Project activities (Enviroscientists 2015a).

[Enviroscientists, Inc. 2015A. Biological Evaluation for Threatened, Endangered, and Sensitive Botanical Species for Great Western Mining Company Target Four Exploration Project. Finalized July 9, 2015. Reno, Nevada. 32 pages.]

[Enviroscientists, Inc. 2015B. Biological Evaluation for Threatened, Endangered, and Sensitive Wildlife Species for Great Western Mining Company Target Four Exploration Project. Finalized September 9, 2015. Reno, Nevada. 41 pages.]

- **Floodplains, wetlands, or municipal watersheds.**
The project area is not within any municipal watersheds, or wetlands.
- **Congressionally designated areas such as wilderness, wilderness study areas, or National Recreation Areas.**
The project is not located within any Congressionally designated area.
- **Inventoried roadless areas or potential wilderness areas.**
The project is not located within an Inventoried Roadless or potential wilderness area.
- **Research natural areas.**
The project is not located within or near any RNA.
- **American Indians and Alaska native religious or cultural sites.**
No American Indian religious or cultural sites in the project area were identified during the scoping and tribal consultation process.
- **Archeological sites or historical properties or areas.**
A linear survey by ASM Affiliates, Inc., (report R2015041702435*) identified one cultural resources site in or near the project area. The Bridgeport District Ranger determined that the archaeological site and five isolated artifacts were not eligible for listing to the NRHP by letter to the Nevada State Historic Preservation Officer (SHPO) dated March 10, 2015. The Forest Service also consulted on the Area of Potential Effect, discussing any indirect and direct project effects on cultural resources, with an agency determination of No Effect to Historic Properties. After its own review of the archaeological report and the agency's cover letter, the SHPO concurred with the Forest Service determination by letter on April 14, 2015 (undertaking #2015-3617).

The project will have no effect on historic properties under the National Historic Preservation Act (NHPA) of 1966. For the purposes of the National Environmental Policy Act, the five isolated artifacts and ineligible archaeological site may be affected or destroyed. However, it is the NHPA which provides guidance to the agency to proceed legally.

In addition to the above, I have considered other elements of the analysis in my determination that there are no extraordinary circumstances as defined by the National Environmental Policy Act (NEPA), or other adverse effects associated with this project that will necessitate documentation in an EIS or EA. I have also considered the potential for cumulative effects and arrived at the conclusion that without notable direct or indirect effects, there will be no cumulative effects. My conclusion is based on (1) comments received during public involvement efforts and (2) the minimal environmental effects expected as a result of my decision.

The conclusions summarized in this document are based on a review of the project's record that reflects best available science and consideration of relevant scientific information and responsible opposing views where raised by internal or external sources. Further, the analysis reflects that management direction, findings, and conclusions are consistent with the Forest Plan.

PUBLIC INVOLVEMENT

Project information was entered in the Forest Service's Planning Appeals and Litigation System (PALS) database on January 12, 2015 and subsequently published to the Schedule of Proposed Actions (SOPA), which can be viewed by the public. A Scoping document requesting public comment was mailed out to interested individuals, organizations, and agencies on the District mailing list and uploaded to the Humboldt-Toiyabe National Forest web page for NEPA projects on August 17, 2015. A notice was sent by email to the Nevada Clearinghouse for state agencies on August 20, 2015. Comments were received from the Friends of Nevada Wilderness, Nevada Chapter of Backcountry Hunters and Anglers, Nevada State Historic Preservation Office, and Nevada Division of State Lands and State Land Use Planning Agency. Comments received from the public during the scoping period were directly or indirectly addressed in the Plan of Operations, specialist's reports, and/or the biological evaluation report. Based on public comment, as the responsible official I have determined that no extraordinary circumstances exist pursuant to 36 CFR 220.6[b] that would warrant further analysis in an EA or EIS. Public comments may be viewed in the project record.

TRIBAL INVOLVEMENT

On March 4, 2015, the Bridgeport Ranger District staff archaeologist emailed the Bridgeport Indian Colony, Walker River Tribe, Yerington Paiute tribe, Washoe Tribe regarding the Spring 2015 project list, including the Marietta Target 4 project. A short description of the Marietta #4 Plan of Operations was included in the email. A request for additional information or comments on the project list was included, particularly relating to traditional cultural properties, sacred locations or other sensitive sites related to the project. On March 5, 2015, the archaeologist mailed a hard-copy of the email and a disk that included a PowerPoint of photographs and maps of the exploration POO to the Walker River, Yerington and Benton Paiute Tribes. The District Ranger and archaeologist presented the PowerPoint the exploration POO to the Walker River Paiute Tribal Council (March 17, 2015) and Yerington Paiute Council (March 31, 2015). An email was sent to the Bridgeport Indian Colony tribal environmental staff officer discussing the project and included GIS shape files (the tribe has a GIS specialist). Efforts were made by the Forest Service to contact the Benton Paiute tribe via email and by telephone.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This decision conforms to the Toiyabe National Forest Land and Resource Management Plan, as required by the National Forest Management Act of 1976, as amended. Applicable management plan standards include those for Minerals (p. IV-57 to 59), Soil and Water (p. IV-40 to 41), and Management Area Direction (p. IV-95 to 105). In addition, it is consistent with other laws, regulations, and policy, including the following:

- The Mining Act of 1872, as amended, 30 U.S.C. §§ 21-54 (1994), which confers a statutory right to enter upon the public lands to search for and mine minerals,
- 37 CFR 228 Subpart A-Locatable Minerals,
- FSM 2600 Wildlife, Fisheries, and Sensitive Plant Habitat Management; FSH 2609.13 Wildlife and Fisheries Program Management Handbook,
- Endangered Species Act,
- Migratory Bird Treaty Act,
- National Clean Water Act, as amended,
- Executive Order 11988 - Floodplain Management,
- Executive Order 12898 - Environmental Justice,
- National Historic Preservation Act and 36 CFR Part 800 – The Section 106 Process,
- Humboldt-Toiyabe FSM Supplement to Chapter 2080 – Noxious Weeds Management,
- FSM 7711 Transportation Analysis.

I find that this Decision is consistent with all other applicable Federal, State, and local laws or requirements.

DISCLAIMER

Approval of this Plan does not constitute recognition or certification of ownership by any person named as owner therein. Approval of this Plan does not constitute, now or in the future, recognition or certification of the validity of any mining claim to which it may relate or to the mineral character of the land on which it lies.

ADMINISTRATIVE REVIEW OPPORTUNITIES

This decision is not subject to appeal pursuant to the Agricultural Act of 2014 (Public Law No. 113-79, Section 8006) and the Consolidated Appropriations Act of 2014 (Public Law No. 113-76, Section 431).

IMPLEMENTATION DATE

The proposed actions described in this decision may not be implemented until:


- the Forest Service has an approved reclamation bond posted by Great Western Mining Company,
- Great Western Mining Company has signed acceptance of, and the District Ranger has approved, the final Plan of Operations,
- Great Western Mining Company has secured any other applicable state, local, and federal permits and authorizations.

RESPONSIBLE OFFICIAL

The responsible official for this project is Jeff Ulrich, District Ranger, Humboldt-Toiyabe National Forest, HC62, Box 1000, Bridgeport, CA 93517 or (775) 932-5801 or jlulrich@fs.fed.us.

CONTACT

For further information regarding this project, please contact David Risley, Bridgeport District Geologist, at (760) 932-5821 or daviderisley@fs.fed.us.



Jeff Ulrich
District Ranger
Bridgeport Ranger District
Humboldt-Toiyabe National Forest

10/19/2015
DATE

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